



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER DISASTER  
SITE LITIGATION

21 MC 102 (AKH)

**This order relates to claims against  
VERIZON NEW YORK INC.  
ONLY in:**

**All cases listed in Schedule A**

ALVIN K. HELLERSTEIN, U.S.D.J.:

## **STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the individual actions listed in Schedule A, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of these actions, the listed actions be, and the same hereby are discontinued against Verizon New York Inc., **only**, without prejudice, without costs to either party as against the other.

IT IS HEREBY FURTHER STIPULATED AND AGREED, that should facts or circumstances derived from future discovery, or otherwise, come to light that indicate a relationship to the litigation and a basis of a claim against the defendant for whom this Stipulation is being entered, and/or should it come to light that the information provided by said defendant in support of its request of discontinuance at this time, be discerned in the future to have been inaccurate, false or misleading, plaintiff may re-assert its claim against said defendant by motion, stipulation or otherwise, and without the necessity of additional service of process, and in no event will said defendant raise any statute of limitations defense other than as may

have been asserted based upon the date of filing of the original action, at the time that the action was originally commenced against said defendant.

This Stipulation may be filed without further notice with the Clerk of the Court and defendant will obtain, if necessary, any Judicial "So Order" of this Stipulation and any other signatory, if necessary.

Dated: January 29, 2008  
New York, New York

KIRKLAND & ELLIS LLP  
*Attorneys for Defendant,*  
*Verizon New York Inc.*

WORBY GRONER EDELMAN  
& NAPOLI BERN, LLP  
*Attorneys for Plaintiff*

By:   
LEE ANN STEVENSON

By:   
CHRISTOPHER LOPALO (CL-6466)

Citigroup Center  
153 East 53rd Street  
New York, New York 10022  
Tel: (212) 446-4917

115 Broadway, 12th Floor  
New York, New York 10006  
Tel: (212) 587-0031

SO ORDERED:

2/6/08

  
HON ALVIN K. HELLERSTEIN

**Schedule A - 21 MC 102 Docket**

<b>No.</b>	<b>Plaintiff</b>	<b>Index Number</b>
1	Battle, Richard	07 CV 05277
2	Colucci, Christopher	06 CV 14564
3	Delorbe, Luciano	06 CV 12731
4	Doyle, Edward	06 CV 13880
5	Fallon, William P.	06 CV 14636
6	Francis, Charles	07 CV 01611
7	Garcia, Viviana	06 CV 14671
8	Graziano, Anthony	06 CV 14694
9	Jara, Marina	07 CV 04477
10	Kochanski, Daniel	06 CV 10377
11	Letz, Alan	06 CV 14793
12	Pepe, Robert S.	06 CV 12802
13	Saeteros, Milton I.	Not Available
14	Yozefowicz, Yan	07 CV 05329
15	Zolfo, Vincent	06 CV 12843